

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAVONNE TUCKER, et al.,
Plaintiffs,
-against-
INTERNATIONAL PROACTIVE
SECURITY, INC.,
Defendant.

23-CV-02946 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Plaintiffs assert that joining defendants Total Safety, Fisher Brothers Financial and Development Company LLC, and Fisher Brothers Management CO. LLC from the original state-court action would destroy this Court's diversity jurisdiction. *See* Dkt. No. 20 at 2. But all three of these defendants appear to be LLCs. And plaintiffs fail to provide proper evidence as to their citizenship. An LLC's citizenship is *not* determined by its principal place of business or place of incorporation. Rather, it is well established that an LLC is a citizen of each state of which its members are citizens. *See, e.g., Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51-52 (2d Cir. 2000). Thus, plaintiffs must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC (including the citizenship of any members of the LLC that are themselves LLCs). *See Handelsman*, 213 F.3d at 51-52; *see also, e.g., In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17 (S.D.N.Y. 2010).

By Wednesday, September 20, 2023, Plaintiffs are hereby ORDERED to submit competent evidence showing that the defendants sought to be joined are citizens of New York.

SO ORDERED.

Dated: September 15, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge